

THIRTY-SEVENTH DAY

(Monday, March 13, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Goodman
Allen	Gordon, Mrs.
Allison	Hale
Alsup	Hamilton
Anderson	Hankamer
Bailey	Hardeman
Baker	Hardin
of Fort Bend	Harp
Baker of Grayson	Harper
Bell	Harrell of Bastrop
Blankenship	Harrell of Lamar
Bond	Harris
Boyd	Hartzog
Boyer	Heflin
Bradbury	Holland
Bradford	Howard
Bray	Howington
Bridgers	Hull
Broadfoot	Hunt
Brown of Cherokee	Isaacks
Brown	Johnson of Ellis
of Nacogdoches	Johnson of Tarrant
Bundy	Keith
Burkett	Kennedy
Burney	Kern
Cauthorn	Kerr
Celaya	Kersey
Chambers	Kinard
Clark	King
Cleveland	Langdon
Cockrell	Lehman
Coleman	Leonard
Colquitt	Leyendecker
Colson, Mrs.	Little
Cornett	Lock
Corry	Loggins
Crossley	London
Daniel	Mays
Davis of Jasper	McAlister
Davis of Upshur	McDaniel
Dean	McDonald
Derden	McFarland
Dickison	McMurry
Donaghey	McNamara
Dowell	Mohrmann
Dwyer	Montgomery
Faulkner	Morris
Felty	Newell
Ferguson	Nicholson
Fielden	Oliver
Fuchs	Olsen
Galbreath	Pace
Gilmer	Petsch

Pevehouse	Spencer
Piner	Stinson
Pope	Stoll
Ragsdale	Talbert
Reader of Bexar	Tarwater
Reader of Erath	Taylor
Reaves	Tennant
Reed	Thornberry
Rhodes	Thornton
Riviere	Turner
Roach	Vale
Roberts	Vint
Robinson	Waggoner
Russell	Weldon
Schuenemann	Wells
Segrist	Westbrook
Shell	White
Skiles	Wilson
Smith of Frio	Winfree
Smith of Hopkins	Wood
Smith	Worley
of Matagorda	Wright

Absent—Excused

Dickson	Voigt
Monkhouse	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, we would be found working in harmony with the Divine will, but Thy plans and purposes are unknown to us. Grant to overrule our activities for Thy glory; and as we work may we seek unselfishly the greatest good for the greatest number, and acquit ourselves worthily in Thy sight. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Voigt for today, on motion of Mr. Riviere.

Mr. Dickson for today, on motion of Mr. Pevehouse.

The following Member was granted leave of absence on account of illness:

Mr. Monkhouse for today, on motion of Mr. Thornton.

ADDITIONAL SIGNER OF HOUSE BILL AND RESOLUTION

Mr. Spencer was authorized to sign House Bill No. 746, as co-author of same.

Mr. Petsch was authorized to sign House Joint Resolution No. 1, as co-author of same.

BILL RE-REFERRED

Mr. Mays moved that House Bill No. 425 be withdrawn from the Committee on Common Carriers and referred to the Committee on Labor.

The motion prevailed.

RELATIVE TO HOUSE BILL
NO. 634

On motion of Mr. Harp, and by unanimous consent of the House, the caption of House Bill No. 634 was ordered amended to conform to all changes and with the body of the bill.

AUTHORIZING CORRECTION IN
CERTAIN BILLS

On motion of Mr. Hardeman, by unanimous consent of the House, the Engrossing Clerk of the House was authorized to correct the emergency clauses of House Bills Nos. 718, 719 and 720.

On motion of Mr. Holland, by unanimous consent of the House, the Engrossing Clerk of the House was authorized to correct the emergency clause of House Bill No. 648.

RELATIVE TO HOUSE BILL
NO. 801

On motion of Mr. Anderson, and by unanimous consent of the House, the caption of House Bill No. 801 was ordered amended to conform to all changes and with the body of the bill.

RELATIVE TO HOUSE BILL
NO. 745

On motion of Mr. Worley, and by unanimous consent of the House, the caption of House Bill No. 745 was ordered amended to conform to all changes and with the body of the bill.

PROVIDING FOR APPOINTMENT
OF COMMITTEE TO MAKE
CERTAIN INVESTIGATION

Mr. Smith of Hopkins offered the following resolution:

H. S. R. No. 169, Providing for the appointment of committee to make certain investigation.

Whereas, House Bill No. 133 of the Acts of the Regular Session of the Forty-fifth Legislature contains the following statement:

"Provided that no funds herein appropriated shall be granted to a

school district which has paid out of its funds any money or moneys to any person or association for the purpose of securing legislative aid;" and

Whereas, It has come by way of confidence to some Members of the Legislature that certain persons are securing public money for the purpose of lobbying with the various Members of the House of Representatives for the passage of certain measures affecting the public schools; and

Whereas, Said practice is to be condemned; therefore, be it

Resolved, That a committee of three Members, appointed by the Speaker, be appointed to investigate the correctness of the following statement:

"Our consultant is an experienced former legislator, fought our battles for years, knows our problems, and can be depended upon; he is known favorably to scores of county superintendents over Texas." Be it further

Resolved, That said committee shall be authorized to summon witnesses, take possession of any documents, hear testimonies, and investigate thoroughly as to the question of whether public school money is being used to employ men on school measures; and file its report before the close of the Regular Session of this, the Forty-sixth Legislature.

SMITH of Hopkins,
JOHNSON of Tarrant,
MORRIS,
SMITH of Matagorda.

The resolution was read second time, and was adopted.

REQUESTING SUPREME COURT
TO PROMULGATE CERTAIN
DISTRICT COURT RULE

Mr. Reed offered the following resolution:

H. C. R. No. 58, Requesting Supreme Court to promulgate certain District Court Rule.

Whereas, The dockets of the Courts of the State are heavily crowded and considerable thought has been given to this condition by various committees appointed by the American and Texas Bar Associations and the various local bar associations with the thought in mind of clarifying the situation in order that more expeditious service could be rendered to the Courts of this State in the trial of their cases; and

Whereas, The Pre-trial Procedure as adopted by the United States Federal

Courts, namely Rule 16 of the Federal Rules of Civil Practice has been studied by various committees and especially by the Texas Civil Judicial Council, and the conclusion having been reached that such Pre-trial Procedure is the probable solution of the crowded condition of the judicial dockets of this State, it having been found that the Pre-trial Procedure has been in successful operation in a number of jurisdictions in this State for some time and in those jurisdictions using such Procedure, it has been found to be expeditious and economical in disposing of the civil litigation, to the county, the State and the public in general; and

Whereas, The Texas Civil Judicial Council finds that the Pre-trial Procedure has large possibilities for eliminating uncontested issues, shortening trials, minimizing lost motions, shortening records on appeal and in many other ways expediting the transaction of business and lessening the expense in the courts, and that the passage of a rule in this regard by the Supreme Court of Texas would direct attention of the District Judges and the Bar to the Procedure, thereby accelerating the trial and ultimate adoption in the District Courts; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Supreme Court be requested to promulgate a District Court Rule substantially in the form, insofar as it is applicable, to Federal Rule 16 adopted by the United States Federal Courts under its new Federal Rules for Civil Practice.

On motion of Mr. Reed, the reading of the resolution was ordered dispensed with, and the resolution was referred to the Committee on Judiciary.

MESSAGE FROM THE SENATE

Austin, Texas, March 13, 1939.
Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has passed the following:

S. B. No. 250, A bill to be entitled "An Act to authorize any county, one or more of the boundaries of which is coincident with any part of the International Boundary between the United States and Mexico, or any

county contiguous to any county of such described class, which may have entered into an agreement with the United States to acquire and upon request convey to the United States land or interest in land desired by the United States in aid of navigation, irrigation, flood control or improvement of water courses, and in order to accomplish the purposes specified in Article 5242 of the 1925 Revised Statutes of Texas, upon request of the United States, to secure by gift, purchase or by condemnation, said land or interest therein, for ultimate conveyance to the United States and to pay for the same out of any special flood control fund or any available county funds; providing for the method of procedure in condemnation cases, and declaring an emergency."

S. B. No. 281, A bill to be entitled "An Act abolishing the office of State Reclamation Engineer; transferring to and vesting the functions in the Commissioner of the General Land Office; providing for the transfer of all officers and employees, the balances of appropriations, and all books, papers, records, property and pending business of the State Reclamation Department to the General Land Office, and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

RELATIVE TO CONSTRUCTION OF SCHOOL FOR DELINQUENT COLORED GIRLS

The Speaker laid before the House, for consideration, at this time, Senate Concurrent Resolution No. 9, Relative to the construction of a juvenile school for delinquent colored girls.

The resolution having heretofore been read second time, and referred to the Committee on Appropriations.

The Committee on Appropriations having recommended the adoption of the resolution, with the following committee amendment by Mr. Thornton:

Amend Senate Concurrent Resolution No. 9, by striking out the semicolon at the end of Section "B" and adding a coma (,) and the following: "provided that the Board of Control shall not have the authority to enter into any temporary or perma-

ment agreements with any Federal authority until the agreement is first submitted to and approved by the Legislature of this State, and".

(Pending consideration of the amendment, Mr. Morris occupied the Chair, temporarily.)

(Speaker in the Chair.)

Question recurring on the committee amendment, it was adopted.

Question then recurring on the resolution, it was lost.

HOUSE BILL NO. 247 ON SECOND READING

Mr. Bell moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 247.

The motion prevailed by the following vote:

Yeas—69

Alsop	Johnson of Ellis
Anderson	Johnson of Tarrant
Baker	Kinard
of Fort Bend	Lehman
Bell	Leonard
Bond	Leyendecker
Boyer	Little
Bradford	Lock
Bridgers	Mays
Bundy	McAlister
Burney	McFarland
Cauthorn	McNamara
Celaya	Mohrmann
Cockrell	Montgomery
Colquitt	Nicholson
Corry	Olsen
Dean	Pevehouse
Donaghey	Piner
Dwyer	Pope
Faulkner	Ragsdale
Felty	Reader of Bexar
Fielden	Reader of Erath
Fuchs	Reed
Galbreath	Rhodes
Gilmer	Robinson
Goodman	Schuenemann
Gordon, Mrs.	Shell
Hankamer	Smith of Frio
Hardin	Stoll
Harris	Tarwater
Hartzog	Taylor
Holland	Thornton
Howard	Vale
Hull	Wilson
Isaacks	Winfree

Nays—63

Allen	Kersey
Allison	King
Bailey	Langdon
Baker of Grayson	London
Blankenship	McDaniel
Boyd	McDonald
Bradbury	Morris
Brown of Cherokee	Newell
Brown	Pace
of Nacogdoches	Petsch
Burkett	Reaves
Chambers	Riviere
Clark	Roach
Coleman	Roberts
Colson, Mrs.	Russell
Cornett	Segrist
Crossley	Skiles
Daniel	Smith of Hopkins
Davis of Upshur	Spencer
Derden	Stinson
Dickison	Talbert
Dowell	Tennant
Hale	Thornberry
Hamilton	Turner
Hardeman	Vint
Harrell of Bastrop	Waggoner
Harrell of Lamar	Weldon
Howington	Wells
Hunt	Westbrook
Keith	White
Kennedy	Worley
Kern	Wright

Absent

Bray	Kerr
Broadfoot	Loggins
Cleveland	McMurry
Davis of Jasper	Oliver
Ferguson	Smith
Harp	of Matagorda
Harper	Wood
Heflin	

Absent—Excused

Dickson	Voigt
Monkhouse	

PAIRED

Mr. Broadfoot (present), who would vote "nay", with Mr. Monkhouse (absent), who would vote "yea".

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 247, A bill to be entitled "An Act creating the Texas Horse Racing Commission, prescribing the number of members thereof, defining their qualifications, fixing their terms and method of qualification, requiring

the members to serve without compensation other than necessary expenses, defining the powers and jurisdiction of the Commission, fixing the places of meeting, directing the employment of an executive secretary and other necessary employees, and limiting their compensation, and providing for payment of expenses of the Commission out of the special fund created by the Act and limiting expenses of the Commission to Thirty Thousand (\$30,000.00) Dollars annually; permitting horse race meetings and operation of pari-mutuel pools in connection therewith only under license of Commission, and prescribing steps to obtain license as follows: (1) application for permit, (2) form of application and conditions and requisites to issuance of permit subject to approval of qualified voters in county wherein track located. (3) election in county where track located for approval or rejection of permit and method and manner of holding such elections, (4) issuance of approved permit by Commission where election in county wherein track located favorable thereto but not otherwise, such permit to be for ten (10) years but subject to revocation, (5) issuance of annual license to holders of approved permits and providing method of obtaining license and fixing license fees, and declaring an emergency."

The bill was read second time.

Mr. Bradbury raised a point of order, on further consideration of the bill, at this time, on the ground that the bill violates certain constitutional provisions, inasmuch it attempts, by local law, to amend the General Law.

The Speaker overruled the point of order.

(Pending consideration of House Bill No. 247, Mr. Leonard occupied the Chair, temporarily.)

(Speaker in the Chair.)

Mr. Bradbury moved that further consideration of House Bill No. 247 be postponed until 10:30 o'clock a. m., tomorrow.

Mr. Bell moved to table the motion to postpone the bill.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced, as follows: Yeas, 68; Nays, 65.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—65

Alsup	Lehman
Anderson	Leonard
Baker	Leyendecker
of Fort Bend	Little
Bell	Loggins
Bond	Mays
Boyer	McAlister
Bradford	McFarland
Bridgers	McNamara
Bundy	Mohrmann
Burkett	Montgomery
Burney	Nicholson
Cauthorn	Olsen
Celaya	Pace
Cockrell	Pevehouse
Colquitt	Piner
Corry	Pope
Dean	Ragsdale
Donaghey	Reader of Bexar
Dwyer	Reed
Felty	Rhodes
Fielden	Riviere
Fuchs	Schuenemann
Goodman	Shell
Gordon, Mrs.	Smith of Frio
Hankamer	Smith of Hopkins
Hardin	Stinson
Hartzog	Taylor
Howard	Thornton
Hull	Vale
Johnson of Ellis	Waggoner
Johnson of Tarrant	Wilson
Kerr	Winfree

Nays—71

Allen	Derden
Allison	Dickison
Bailey	Dowell
Baker of Grayson	Faulkner
Blankenship	Ferguson
Boyd	Galbreath
Bradbury	Gilmer
Brown of Cherokee	Hale
Brown	Hamilton
of Nacogdoches	Hardeman
Chambers	Harp
Clark	Harrell of Lamar
Cleveland	Harris
Coleman	Holland
Colson, Mrs.	Howington
Cornett	Hunt
Crossley	Isaacks
Daniel	Keith
Davis of Jasper	Kennedy
Davis of Upshur	Kern

Kersey	Skiles
King	Smith
Langdon	of Matagorda
Lock	Spencer
London	Stoll
McDaniel	Talbert
McDonald	Tarwater
McMurry	Tennant
Morris	Thornberry
Newell	Turner
Oliver	Vint
Reader of Erath	Weldon
Reaves	Wells
Roach	Westbrook
Roberts	White
Russell	Worley
Segrist	

Present—Not Voting

Petsch

Absent

Bray	Kinard
Broadfoot	Robinson
Harper	Wood
Harrell of Bastrop	Wright
Heflin	

Absent—Excused

Dickson	Voigt
Monkhouse	

The Speaker announced that the motion to table was lost.

Question then recurring on the motion to postpone the bill, yeas and nays were demanded.

The motion to postpone prevailed by the following vote:

Yeas—80

Allison	Dickson
Bailey	Dowell
Baker of Grayson	Faulkner
Blankenship	Ferguson
Boyd	Galbreath
Bradbury	Gilmer
Brown of Cherokee	Gordon, Mrs.
Brown	Hale
of Nacogdoches	Hamilton
Burkett	Hardeman
Chambers	Harp
Clark	Harrell of Bastrop
Cleveland	Harrell of Lamar
Coleman	Harris
Colson, Mrs.	Howington
Cornett	Hunt
Crossley	Keith
Daniel	Kennedy
Davis of Jasper	Kern
Davis of Upshur	Kersey
Dean	King
Derden	Langdon

Lock	Segrist
London	Skiles
McDaniel	Smith of Hopkins
McDonald	Smith
McMurry	of Matagorda
Montgomery	Spencer
Morris	Talbert
Newell	Tarwater
Oliver	Tennant
Petsch	Thornberry
Pevehouse	Turner
Piner	Vint
Reader of Erath	Weldon
Reaves	Wells
Rhodes	Westbrook
Riviere	White
Roach	Wood
Roberts	Worley
Russell	Wright

Nays—59

Allen	Kerr
Alsup	Kinard
Anderson	Lehman
Baker	Leonard
of Fort Bend	Leyendecker
Bell	Little
Bond	Loggins
Boyer	Mays
Bradford	McAlister
Bridgers	McFarland
Bundy	McNamara
Burney	Mohrmann
Cauthorn	Nicholson
Celaya	Olsen
Cockrell	Pace
Colquitt	Pope
Corry	Ragsdale
Donaghey	Reader of Bexar
Dwyer	Reed
Felty	Robinson
Fielden	Schuenemann
Fuchs	Smith of Frio
Hankamer	Stinson
Hartzog	Stoll
Holland	Taylor
Howard	Thornton
Hull	Vale
Isaacks	Waggoner
Johnson of Ellis	Wilson
Johnson of Tarrant	Winfree

Absent

Bray	Harner
Broadfoot	Heflin
Goodman	Shell
Hardin	

Absent—Excused

Dickson	Voigt
Monkhouse	

Mr. Blankenship moved that the Attorney General be requested, by the House, for an opinion as to the constitutionality of House Bill No. 247.

The motion prevailed by the following vote:

Yeas—77

Allison	Kern
Bailey	Kersey
Baker of Grayson	King
Blankenship	Langdon
Boyd	Lock
Boyer	London
Bradbury	McDaniel
Broadfoot	Montgomery
Brown of Cherokee	Morris
Burkett	Newell
Chambers	Oliver
Clark	Pace
Cleveland	Petsch
Cockrell	Pevehouse
Coleman	Piner
Colson, Mrs.	Reader of Erath
Cornett	Reaves
Crossley	Rhodes
Daniel	Riviere
Davis of Upshur	Roach
Dean	Roberts
Derden	Russell
Dowell	Segrist
Faulkner	Skiles
Ferguson	Smith
Galbreath	of Matagorda
Hale	Spencer
Hamilton	Tarwater
Hardeman	Tennant
Harp	Turner
Harrell of Bastrop	Vint
Harrell of Lamar	Waggoner
Harris	Weldon
Howington	Wells
Hunt	Westbrook
Isaacks	White
Johnson of Ellis	Wood
Keith	Worley
Kennedy	Wright

Nays—61

Allen	Corry
Alsup	Dickson
Anderson	Donaghey
Baker	Dwyer
of Fort Bend	Felty
Bell	Fielden
Bond	Fuchs
Bradford	Gilmer
Bridgers	Gordon, Mrs.
Bundy	Hankamer
Burney	Hartzog
Cauthorn	Holland
Celaya	Howard
Colquitt	Hull

Johnson of Tarrant	Pope
Kerr	Ragsdale
Kinard	Reed
Lehman	Robinson
Leonard	Schuenemann
Leyendecker	Shell
Little	Smith of Frio
Loggins	Smith of Hopkins
Mays	Stinson
McAlister	Stoll
McDonald	Talbert
McFarland	Taylor
McMurry	Thornberry
McNamara	Thornton
Mohrmann	Vale
Nicholson	Wilson
Olsen	Winfree

Absent

Bray	Hardin
Brown	Harper
of Nacogdoches	Heflin
Davis of Jasper	Reader of Bexar
Goodman	

Absent—Excused

Dickson	Voigt
Monkhouse	

REASON FOR VOTE

I voted "no" on the motion to refer House Bill No. 247 to the Attorney General because I am opposed to constantly calling on the chief law office of this State for opinions on the constitutionality of pending legislation.

The rule is and has been in this State that only the courts can declare any law unconstitutional and then only after a case has been presented to them on the question in point. Therefore any opinion of the Attorney General is not and cannot be final and therefore is useless.

McMURRY.

MESSAGE FROM THE SENATE

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has adopted the following:

H. C. R. No. 32, Providing for a committee to investigate the Prison System.

H. C. R. No. 55, Instructing the Enrolling Clerk of the House to make certain corrections to House Bill No. 341.

H. C. R. No. 56, Authorizing the Enrolling Clerk to amend the caption to House Bill No. 348.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 125 ON SECOND READING

Mr. Cornett moved that the regular order of business be suspended, to take up, and have placed on its second reading, and passage to engrossment, House Bill No. 125.

The motion prevailed by the following vote:

Yeas—73

Allen	Kinard
Anderson	King
Baker	Langdon
of Fort Bend	Little
Baker of Grayson	Lock
Bell	London
Boyd	Mohrmann
Boyer	Morris
Bradbury	Nicholson
Bray	Oliver
Brown of Cherokee	Petsch
Bundy	Pevehouse
Burney	Piner
Cauthorn	Reader of Bexar
Chambers	Reed
Clark	Riviere
Cockrell	Roberts
Coleman	Robinson
Cornett	Russell
Dean	Segrist
Donaghey	Skiles
Dowell	Smith of Frio
Dwyer	Smith of Hopkins
Ferguson	Spencer
Fielden	Stoll
Galbreath	Talbert
Gordon, Mrs.	Tarwater
Hale	Tennant
Harp	Thornberry
Harrell of Bastrop	Thornton
Holland	Turner
Howard	Vint
Hunt	Weldon
Keith	Westbrook
Kennedy	White
Kern	Worley
Kerr	Wright

Nays—60

Allison	Broadfoot
Alsup	Burkett
Bailey	Cleveland
Blankenship	Colquitt
Bradford	Colson, Mrs.

Corry	McDaniel
Crossley	McDonald
Daniel	McFarland
Davis of Upshur	McMurry
Derden	McNamara
Dickison	Montgomery
Faulkner	Newell
Fuchs	Olsen
Gilmer	Pace
Goodman	Pope
Hamilton	Ragsdale
Hankamer	Reader of Erath
Hardeman	Reaves
Hardin	Rhodes
Harrell of Lamar	Roach
Hartzog	Schuenemann
Howington	Shell
Johnson of Ellis	Stinson
Johnson of Tarrant	Taylor
Kersey	Vale
Lehman	Waggoner
Leyendecker	Wells
Loggins	Wilson
Mays	Winfree
McAlister	Wood

Absent

Bond	Harris
Bridgers	Heflin
Brown	Hull
of Nacogdoches	Isaacks
Celaya	Leonard
Davis of Jasper	Smith
Felty	of Matagorda
Harper	

Absent—Excused

Dickson	Voigt
Monkhouse	

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 125, A bill to be entitled "An Act to further the general welfare and governmental economy and to bring about increased efficiency in the service of all State departments, agencies and institutions of the State government by the establishment of a merit system of appointing employees; creating within the Executive Department a State Personnel Division; providing for a State Civil Service Commission; prescribing its powers and duties; providing for removal of Commissioners; providing for the appointment of a Personnel Director; and prescribing his qualifications; and his powers and duties; providing for the formulation of tests for applicants for positions; for their examination, appointment, promotion, demotion,

transfer, removal, and reinstatement; providing that the Civil Service shall be divided into the unclassified and the classified service and designating the positions under each classification; providing for the establishment of employment and reemployment list; making certain exemptions; providing that the services and facilities of the State Personnel Division shall be available upon request, subject to rules prescribed therefor by the commission, to local governmental subdivisions of the State; providing for the enforcement and administration of this Act, and prescribing penalties and aid thereof; defining certain terms as used in the Act; providing that the Act shall be severable; repealing all laws inconsistent with this Act; making an appropriation, and declaring an emergency."

The bill was read second time.

(Mr. Thornton in the Chair.)

Mr. Fielden offered the following amendment to the bill:

Amend House Bill No. 125, by striking out line 33, page 1, of printed bill.

(Speaker in the Chair.)

Mr. Cornett moved to table the amendment.

Question recurring on the motion to table the amendment by Mr. Fielden, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—61

Anderson	Dowell
Bailey	Ferguson
Baker	Gordon, Mrs.
of Fort Bend	Hale
Baker of Grayson	Harrell of Bastrop
Bell	Heflin
Boyd	Holland
Boyer	Howington
Bradbury	Hull
Bray	Hunt
Bridgers	Isaacks
Brown	Keith
of Nacogdoches	Kennedy
Burney	Kern
Cauthorn	Kersey
Chambers	King
Cockrell	Langdon
Coleman	Lock
Cornett	London
Dean	Mohrmann
Dickison	Montgomery
Donaghey	Morris

Nicholson
Petsch
Pevehouse
Reed
Riviere
Roberts
Robinson
Skiles
Smith of Frio
Stoll

Talbert
Tarwater
Thornberry
Thornton
Turner
Vint
Wells
White
Worley

Nays—72

Allen	Kerr
Allison	Lehman
Alsup	Leyendecker
Blankenship	Loggins
Bond	Mays
Bradford	McAlister
Broadfoot	McDaniel
Brown of Cherokee	McDonald
Bundy	McFarland
Burkett	McMurry
Celaya	McNamara
Clark	Newell
Cleveland	Olsen
Colquitt	Pace
Colson, Mrs.	Pope
Crossley	Reader of Bexar
Daniel	Reader of Erath
Davis of Jasper	Rhodes
Davis of Upshur	Roach
Derden	Russell
Dwyer	Schuenemann
Faulkner	Shell
Fielden	Smith of Hopkins
Fuchs	Smith
Galbreath	of Matagorda
Goodman	Spencer
Hamilton	Stinson
Hankamer	Taylor
Hardin	Tennant
Harp	Vale
Harper	Waggoner
Harrell of Lamar	Weldon
Harris	Westbrook
Hartzog	Wilson
Howard	Winfree
Johnson of Ellis	Wood
Johnson of Tarrant	

Present—Not Voting

Corry Wright

Absent

Felty	Oliver
Gilmer	Piner
Hardeman	Ragsdale
Kinard	Reaves
Leonard	Segrist
Little	

Absent—Excused

Dickson	Voigt
Monkhouse	

REASON FOR VOTE

This bill makes no provision for examination of present employees and would create a racial problem in choice of applicants.

SPENCER.

Mr. Mays moved that House Bill No. 125 be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—80

Allen	Johnson of Ellis
Allison	Johnson of Tarrant
Alsup	Kerr
Bailey	Kersey
Bond	Kinard
Bradford	Leonard
Broadfoot	Leyendecker
Brown of Cherokee	Lock
Bundy	Loggins
Burkett	Mays
Celaya	McAlister
Chambers	McDaniel
Clark	McFarland
Cleveland	McMurry
Coleman	McNamara
Colquitt	Montgomery
Colson, Mrs.	Newell
Crossley	Olsen
Daniel	Pace
Davis of Upshur	Pevehouse
Dean	Piner
Derden	Pope
Dwyer	Reader of Erath
Faulkner	Rhodes
Fielden	Russell
Fuchs	Schuenemann
Galbreath	Segrist
Gilmer	Shell
Goodman	Smith of Hopkins
Hamilton	Smith
Hankamer	of Matagorda
Hardeman	Stinson
Hardin	Tennant
Harp	Vale
Harrell of Lamar	Waggoner
Harris	Weldon
Hartzog	Wilson
Heflin	Winfree
Howard	Wood
Howington	Wright
Hull	

Nays—61

Anderson	Bell
Baker	Blankenship
of Fort Bend	Boyd
Baker of Grayson	Boyer

Bradbury	Little
Bray	London
Bridgers	McDonald
Brown	Mohrmann
of Nacogdoches	Morris
Burney	Nicholson
Cauthorn	Petsch
Cockrell	Reed
Cornett	Riviere
Corry	Roach
Davis of Jasper	Roberts
Dickison	Robinson
Donaghey	Skiles
Dowell	Smith of Frio
Felty	Spencer
Ferguson	Stoll
Gordon, Mrs.	Talbert
Hale	Tarwater
Harrell of Bastrop	Taylor
Holland	Thornberry
Hunt	Thornton
Isaacks	Turner
Keith	Vint
Kennedy	Wells
Kern	Westbrook
King	White
Langdon	Worley
Lehman	

Absent

Harper	Reader of Bexar
Oliver	Reaves
Ragsdale	

Absent—Excused

Dickson	Voigt
Monkhouse	

INVITATION TO MEMBERS OF THE HOUSE

Mr. Bray offered the following resolution:

H. S. R. No. 170, Invitation to Members of the House.

Whereas, The Curtain Club of the University of Texas is desirous of extending an invitation to this honorable body; and

Whereas, We have with us a proper person to extend such invitation; now, therefore, be it

Resolved, That Mr. Pat O'Keefe be invited to come to the Speaker's stand and extend the invitation personally.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker presented Mr. Pat O'Keefe, who extended the invitation to the Members of the House.

RELATIVE TO HOUSE BILL NO. 670

On motion of Mr. Hale, and by unanimous consent of the House, the caption of House Bill No. 670 was ordered amended to conform to all changes and with the body of the bill.

PROVIDING FOR CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Mays moved that the House meet at 7:30 o'clock p. m., next Thursday for the purpose of considering Local and Uncontested Bills.

The motion prevailed.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolutions:

H. C. R. No. 57, Recalling Senate Bill No. 213 from the Senate.

H. B. No. 356, "An Act authorizing the County Judge to employ a stenographer or clerk in any county having a population of not more than seven thousand, seven hundred (7,700) and not less than seven thousand, six hundred eighty (7,680) inhabitants, according to the last preceding census; regulating the salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

H. B. No. 148, "An Act regulating the practice of medicine, amending Articles 4500, 4503, 4504, 4505, 4506 and 4507 of Title 71, Chapter 6, Revised Civil Statutes of Texas, and adding Article 4500a thereto; and amending Articles 740 and 742 of Title 12, Chapter 6, of the Penal Code of Texas, and adding Article 742a thereto, as follows: Providing for the granting, refusal, revocation, cancellation and suspension of licenses to practice medicine in this State; providing for the granting and refusing by the State Board of Medical Examiners of applications to take its examinations, and for judicial proceedings upon any such refusal; providing for the qualifications and attainments to be possessed by applicants for such examinations and licenses, the form and contents of such applications and the examination of such applicants; pro-

viding definitions of certain terms used in this Act, including the terms 'reputable physicians' and 'reputable medical colleges,' etc., and declaring an emergency."

H. B. No. 341, "An Act relating to the time of holding court in the several counties constituting the 51st Judicial District of Texas, composed of the counties of Tom Green, Irion, Schleicher, Coke and Sterling, fixing the terms for holding court in each county; amending Chapter 367, Acts of the Regular Session of the Forty-second Legislature, 1931; relating to the time of holding court in the several counties constituting the 119th Judicial District of Texas, composed of the Counties of Coleman, Concho, Runnels and Tom Green, fixing the terms for holding court in each county; amending Chapter 349, Acts of the Regular Session of the Forty-fifth Legislature, 1937; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 348, "An Act to diminish the civil and criminal jurisdiction of the County Court of Glasscock County, to conform to the jurisdiction of the District Court thereof, and to repeal all laws in conflict herewith, and declaring an emergency."

H. C. R. No. 55, Authorizing certain correction in House Bill No. 341.

H. C. R. No. 56, Authorizing certain correction in House Bill No. 348.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harrell of Bastrop:

H. B. No. 853, A bill to be entitled "An Act providing for salary to be paid County Superintendent of Schools in certain counties, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Shell:

H. B. No. 854, A bill to be entitled "An Act abolishing the office of county superintendent in all counties in this State having a population of not less than 23,800 and not more than 23,860, according to the last preceding Federal Census; providing that the present county superintendents of

such counties shall serve out their terms for which elected; providing that the duties of county superintendents upon the effective date of this Act shall be performed by the county judges of such counties; providing compensation for such county judges; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Wells and Mr. Harrell of Lamar:

H. B. No. 855, A bill to be entitled "An Act providing pay for members of the county board of school trustees of certain counties, and limiting the number of sessions to be paid for, and declaring an emergency."

Referred to the Committee on School Districts.

Mr. Felty asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 856.

There was no objection offered.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Felty, Mr. Kinard, Mr. Hartzog, Mr. Riviere, Mr. Celaya, Mr. Vale, Mr. Galbreath, Mr. Shell, Mr. Smith of Matagorda, Mr. Daniel, Mr. Nicholson, Mr. Thornton and Mr. Robinson:

H. B. No. 856, A bill to be entitled "An Act declaring the sovereignty of Texas along its seacoast, fixing its present seacoast boundary and ownership; fixing the limits and boundaries of each of the seacoast counties in the waters within such boundary; making said waters a part of the area of the various seacoast counties for all proper jurisdictional purposes, and creating an emergency."

Referred to the Committee on Public Lands and Buildings.

SENATE BILLS ON FIRST READING

The following Senate Bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 250, to the Committee on Federal Relations.

Senate Bill No. 281, to the Committee on State Affairs.

ADJOURNMENT

Mr. Brown of Cherokee moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Hartzog moved that the House recess until 2:00 o'clock p. m., today.

Mr. Johnson of Ellis moved that the House recess until 2:30 o'clock p. m., today.

The motion of Mr. Brown of Cherokee prevailed, and the House, accordingly, at 12:30 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Counties: House Bill No. 541.

Oil, Gas and Mining: House Bill No. 851.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 408, A bill to be entitled "An Act providing and fixing compensation for County Commissioners in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 742, A bill to be entitled "An Act changing the name of the State Juvenile Training School to be hereafter known as the Gatesville School for Boys."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 802, A bill to be entitled "An Act validating proceedings heretofore had by certain cities in Texas, other than home-rule cities, for the issuance of revenue bonds and ad valorem tax bonds for the purpose of procuring funds to construct water-works and sewer systems for such cities, validating the bonds to be issued pursuant to such proceedings and the indentures executed and to be executed as security for such bonds, authorizing the adoption of the proceedings necessary to complete the issuance of such bonds, validating proceedings had in the incorporation of such cities, providing the manner in which the assessed valuation of taxable property may be determined in such of said cities as have not heretofore levied taxes, repealing all conflicting Acts, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 807, A bill to be entitled "An Act ratifying, confirming, and validating all acts of County Boards of Trustees in ordering an election for the purpose of laying out, establishing, combining, abolishing, or changing any independent or common school districts, and all elections held in any county in this State for the purpose of laying out, establishing, combining, abolishing, or changing any such independent or common school districts; and ratifying, confirming and validating an election of any independent school district held for the purpose of authorizing the issuance of bonds and levying a tax for the payment of said bonds where there has been in the election proceedings of such election in the petition for election, order of the School Board for such election, notice of election and order declaring the results thereof certain errors and irregularities; providing that this Act shall not affect

districts which may be involved in litigation at the effective date of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. 804, A bill to be entitled "An Act making it unlawful for any person to hunt, trap, kill or attempt to kill by any means whatsoever, any wild turkey, chachalaca or wild Mexican pheasant in the Counties of Comal and Guadalupe for a period of four (4) years; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 825, A bill to be entitled "An Act validating any orders and proceedings directed toward the issuance of bonds for Justice Precinct No. 5 of Falls County, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 142, A bill to be entitled "An Act providing that persons, firms, or corporations, who operate or conduct hotels, cafes, restaurants, dining cars or other public eating places, bakeries, and meat markets in this State, shall not work, employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; and further providing that such persons, firms, or corporations or common carriers, operating or conducting any public eating place heretofore named

or operating any bakery, or meat market, public dairy or dairies, or manufacturers of and vendors of candies or manufactured sweets, shall have made a medical inspection of all their employes at intervals of not more than six (6) months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease, that such person shall be promptly discharged from such employment; providing it shall be unlawful for manufacturers or vendors of candies and manufactured sweets to consign, sell or furnish in any way said candies and manufactured sweets to individuals for the purpose of resale at their private residences who do not display valid health certificates for each member of the household and sanitary display show-cases; etc., and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 185, A bill to be entitled "An Act validating elections heretofore held, authorizing the issuance of waterworks revenue bonds, and the bonds when issued, approved and registered, under circumstances prescribed herein, providing that the provisions hereof shall not be applicable in instances wherein litigation exists, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 835, A bill to be entitled "An Act to amend Subsection 8 of Article 199 of the Revised Civil Statutes, and providing an effective date."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 830, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by county line independent school districts, partly situated in three (3) counties, the supervision of said school being located in counties having a population not less than seventeen thousand (17,000) nor more than seventeen thousand, five hundred (17,500) as shown by the last preceding Federal Census, not in excess of a limit now provided by law. Such levies validated are the same as are now on record in the Auditor's Division of the State Department of Education. Such levies and assessments are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory Board of Equalization; and which are insufficient and void, or unenforceable on account of technical irregularities in the manner of preparing the books and reports of assessors assessing such property; and all equalizations of said valuations of such property for taxation purposes made by the Boards of Equalization acting for any such school districts, which are irregular or insufficient because the reports of such equalizations were adopted and accepted orally, or by other informal action; and the acts of making such equalization were made orally or informally, or in incomplete form; providing this Act shall not affect suits pending at the time same becomes effective; and further providing that this Act shall not validate any valuation placed upon property by any Board of Equalization or any Tax Assessor where such property has been valued in excess of its reasonable cash market value, or where such property has been discriminated against as to value or placed upon the rolls at a higher value than property of like kind and character, or at a greater percentage of its value than other property assessed for taxation; repealing all laws and parts of laws in conflict with this Act and especially repealing House Bill No.

209, Acts of the Forty-sixth Legislature, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 817, A bill to be entitled "An Act amending Article 6869, Revised Civil Statutes, 1925, as amended, Acts, 1929, Forty-first Legislature, First Called Session, page 283, Chapter 113, Section 1, by adding a new Section thereto, to be known as Article 6869b, providing for the number of Deputy Sheriffs in counties having a population of less than twenty thousand (20,000), according to the last preceding Federal Census, and having a property valuation in excess of One Hundred Million (\$100,000,000.00) Dollars, according to the approved State and county tax rolls for the preceding year, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 805, A bill to be entitled "An Act repealing House Bill No. 138, Chapter 63, page 1990, Special Laws of the Second Called Session of the Forty-fifth Legislature, 1937, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 800, A bill to be entitled "An Act making it unlawful to hunt, shoot or kill any wild deer and/or wild turkey for a period of three (3) years from and after the effective date of this Act in the Counties of Grimes and Brazos, State of Texas;

fixing a penalty; repealing all laws and parts of laws in conflict herewith in so far as they apply to Grimes and Brazos Counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 797, A bill to be entitled "An Act creating a Special Road Law for Zapata County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 1, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 783, A bill to be entitled "An Act amending Section 1 of House Bill No. 186, same being Chapter 10, of the Special Laws of the Forty-third Legislature, Regular Session, by declaring the closed season on deer in San Augustine and Sabine Counties for a period of five (5) years from the effective date of this Act and after its passage, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 744, A bill to be entitled "An Act for the purpose of better preserving the game and fish resources of Calhoun and Jackson Counties by closing certain waters in Calhoun and Jackson Counties to certain types of net fishing and prohibiting the use of the oyster dredge in certain areas and making legal the operation of the pocket net or drag seine in certain waters; providing a penalty; repealing House Bill No. 232 of the Regular Session of the Forty-fifth Legislature, House Bill No. 67, Acts of the First Called Session of the Forty-fifth Legislature, and Article 937a, Penal Code of the State of Texas, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 739, A bill to be entitled "An Act to repeal Chapter 47, House Bill No. 110, Acts, First Called Session of the Forty-third Legislature, pertaining to the use of seines and nets in Red River County, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 683, A bill to be entitled "An Act defining a commercial fisherman; providing for a license for any person, firm or corporation operating as such; providing for the issuance of non-resident licenses; defining the coastal waters over which the State of Texas has jurisdiction; providing for a penalty; providing for the enforcement of this Act, and declaring

an emergency and effective date of this Act."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 645, A bill to be entitled "An Act amending Article 3112 of the Revised Civil Statutes of the State of Texas of 1925, with reference to filing applications by candidates for district office, repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 711, A bill to be entitled "An Act to provide a more adequate and equitable salary of County Superintendents of Public Instruction, and providing that said salary may be fixed by the County Board of Education in all of those counties of the State of Texas coming within the brackets and population figures herein named, and repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 701, A bill to be entitled "An Act to amend Article 1334, Revised Statutes, 1925, so as to authorize facsimile signatures and seals on stock certificates signed by a transfer agent and registrar, and prescribing the conditions for the use of such facsimiles, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 674, A bill to be entitled "An Act providing for compensation of County Auditors in certain counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 660, A bill to be entitled "An Act providing the salary of County Superintendents of Public Instruction in certain counties, according to the last preceding Federal Census or any subsequent Federal Census, and according to area in square miles of such counties; repealing all laws and parts of laws in conflict, to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 657, A bill to be entitled "An Act providing the amount of salaries for the First Assistant to the Tax Assessor and Collector in certain counties; providing for the salaries of Cashiers of such Assessor and Collector; providing for the salaries of all other assistants and deputies to such an officer; repealing all laws in conflict therewith to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 649, A bill to be entitled "An Act providing for the amount

that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties, according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 634, A bill to be entitled "An Act providing for a Rural School Music Supervisor in certain counties, prescribing the duties of said Supervisor, prescribing the method of employing the Supervisor and the matter of fixing and paying salary, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 622, A bill to be entitled "An Act amending Section 2, Article 2326e of the Revised Civil Statutes of Texas, 1925, as amended, providing for 'salaries of reporters in certain counties', so that the same shall hereafter read as follows:"

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 484, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 644, Chapter 315, Section 1, as amended by Acts of the Forty-fifth Legislature, 1937, Regular Session, page 204, Chapter 108, Section 1, as amended by Acts of the Forty-fifth

Legislature, 1937, Regular Session, page 795, Chapter 389, Section 1, by adding a new Section to be known as Article 2687e, prescribing the time of meeting of the County Board of School Trustees in Counties containing a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, eight hundred (38,800) population, according to the last preceding Federal Census and each succeeding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 617, A bill to be entitled "An Act to amend Chapter 83, Senate Bill No. 179, of the General Laws passed by the Forty-first Legislature of the State of Texas at its Second Called Session, as amended by House Bill No. 291, Chapter 244, of the General Laws, passed by the Forty-fifth Legislature of Texas at its Regular Session by providing in Section 4 of said Act that credit for three (3) hours of military science as provided in an approved senior R.O.T.C. unit may be substituted for three (3) hours of government as specified in the Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 613, A bill to be entitled "An Act amending Sections 8 and 21, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to require physical marks of identification in deaths of non-resident persons, also finger prints of the deceased; and so as to require the State

Registrar to enter into an agreement with the Bureau of the Census for the franking privileges, and the blanks furnished by the United States Census Bureau, and that the transcripts made for the United States Bureau Census be made under the direction of the State Registrar, and for the issuance of photostatic copies to service men, their widows and orphans free of cost, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 611, A bill to be entitled "An Act creating a Special Road Law for Carson County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 31, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, time warrants, or funding warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners Court and of the county officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 607, A bill to be entitled "An Act amending House Bill No. 72, Chapter 39, page 83, Section 4 of the General and Special Laws of the Forty-second Legislature, First Called

Session, 1931; providing for manner of paying salaries for Rural School Supervisors in Van Zandt County, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 599, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the County Court of Stephens County, Texas, and to conform the jurisdiction of the District Courts of such County to such change; to preserve the jurisdiction and power of the County Court of Stephens County, Texas, over certain final judgments rendered prior to the passage of this Act; to require the County Clerk of such County to transmit all papers in pending civil and criminal cases to the District Court of said County; and to continue in effect the filing date of papers previously filed in the County Court in said pending cases; to fix fees that the District Clerk of such County will be authorized to charge in connection with filing of papers so transmitted to him; to provide for the County Attorney of Stephens County, Texas, to represent the State in misdemeanor cases in the District Court, and to declare an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 594, A bill to be entitled "An Act to amend Chapter 2 of Title 128 of the Revised Civil Statutes of 1925, so as to provide for dividing water improvement districts organized or operating under said Chapter, when such districts are operating under contract with the Department of the Interior of the Government of the United States, into districts for the election of directors thereof; and requiring directors thereof to be owners of land subject to taxation in the district from which they are elected;

and to provide for the election of such directors by the vote of the qualified electors of the whole irrigation district; and to provide penalties if any person shall fail or refuse to pay the taxes or water charges imposed upon him, or upon his property, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 558, A bill to be entitled "An Act making an appropriation out of the General Fund of the State of Texas for the Secretary of State for the biennium beginning September 1, 1939, and ending August 31, 1941, for the purpose of compiling, editing, indexing, binding, and distributing the current laws and journals; making same immediately available, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 513, A bill to be entitled "An Act to amend Chapter 17, Special Acts of the First Called Session of the Forty-second Legislature, being Senate Bill No. 44, permitting the seining of fish during the months of July, August and September of any year in Hunt, Kaufman and Rains Counties, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 527, A bill to be entitled "An Act to provide for a more adequate and equitable salary of County Superintendents of Public Instruction in all counties of the State of Texas

having a population of not less than one hundred and ninety-seven thousand (197,000) and not more than one hundred and ninety-eight thousand (198,000); providing for the traveling expenses and/or office expenses for said offices; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 552, A bill to be entitled "An Act conveying the title of the State of Texas to Lot No. 8 in Block No. 38 of the original townsite of Rosenberg, Fort Bend County, Texas, according to the plat of said town, appearing of record in Volume P, pages 146 and 147 of the Deed Records of Fort Bend County, Texas, acquired by the State under tax sale to Mrs. Thelma Moers Forster, to her separate use and benefit, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 472, A bill to be entitled "An Act establishing a County Law Library in each county in this State having an area of not less than one thousand, one hundred and thirty (1,130) and not more than one thousand, five hundred (1,500) square miles, and with a population, according to the last Federal Census, of not less than eleven thousand, three hundred (11,300) and not more than twelve thousand, five hundred (12,500), and whose County Seat is in a city having a population of not less than two thousand, two hundred (2,200) and not more than three thousand (3,000), according to the last Federal Census; providing a fund to be administered by the Commissioners' Court of such counties, and to be raised by collecting One (\$1.00) Dollar as cost in each case filed in the Dis-

trict and County Courts of such counties, except such fee shall not be collected or charged in delinquent tax suits, but shall include all civil and criminal cases filed on the dockets of the respective courts as hereinabove set out, providing however that the county shall in no event be liable for any cost in any civil or criminal case; providing for a custodian, a librarian and salaries therefor; providing for housing and management; providing this Act shall not affect any other law now in effect with respect to any other county, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 429, A bill to be entitled "An Act to create a more efficient road law for Cameron County, Texas, providing for the cancellation, without the prerequisite of an election, of certain bonds heretofore voted, prescribing the method of accomplishing said cancellation, providing that this law shall take precedence over other laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 362, A bill to be entitled "An Act amending House Bill No. 309, being Chapter 53, page 101 of the Acts of the Thirty-eighth Legislature, Regular Session (1927) as amended by Senate Bill No. 520, being Chapter 210, page 499 of the Acts of the Forty-fourth Legislature, Regular Session (1935), and subdivision 37, 45, 57, and 73 of Article 199, Title 8, Revised Civil Statutes of 1925 as amended, fixing the terms and prescribing the jurisdiction of the District Courts of the 37th, 45th, 57th, and 73rd Judicial Districts, providing for the administration of the business of said Courts, providing for the election

of Special Judges in cases of absence, sickness or inability of the regular Judges to act and preside in the Civil District Courts of Bexar County, Texas, fixing the effective date of the Act and the date of the expiration of the terms of court then in session, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 438, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in any county having a population of not more than ten thousand, four hundred and ninety-nine (10,499), and not less than ten thousand, three hundred and ninety-nine (10,399) inhabitants, according to the last preceding census; making salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 468, A bill to be entitled "An Act authorizing and empowering the Commissioners Courts in counties having a population of less than twenty thousand (20,000), according to the last preceding Federal Census, and a property valuation of more than One Hundred Million (\$100,000,000.00) Dollars, according to the last approved county tax rolls, to enter into contract and agreement with the governing bodies of municipalities within said counties for the purpose of furnishing fire protection in such counties outside of the corporate limits of said municipalities and to make appropriations for paying municipalities for such services."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 230, A bill to be entitled "An Act repealing Chapter 21 of the Laws of the Forty-fourth Legislature, Regular Session, being House Bill No. 874, pages 1185 and 1186 of the General and Special Laws of the Forty-fourth Legislature, Regular Session, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 202, A bill to be entitled "An Act to amend Section 1 of Article 2351A of the Revised Civil Statutes, the same being House Bill No. 427, Acts, 1937, of the Forty-fifth Legislature, Regular Session, by providing for the addition thereto of Counties having not less than 48,500, and not more than 49,000 population."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 158, A bill to be entitled "An Act to amend Article 3336, Title 54, of the Revised Civil Statutes of the State of Texas, Revision of 1925 as amended, validating the acts of probate courts in certain cases, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 469, A bill to be entitled "An Act to fix the salary of the Superintendent of Public Instruction in each county in Texas, having a population of not less than 29,750 nor

more than 30,025, according to the last Federal Census; repealing all laws and parts of laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 450, A bill to be entitled "An Act to amend Article 5922 of the Revised Civil Statutes of Texas, 1925, with reference to the petition and hearing for the removal of disabilities of minors, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 368, A bill to be entitled "An Act creating a Special Road Law for Robertson County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 1, 1939, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 10, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 448, A bill to be entitled "An Act providing for preference of

employment in all State Departments of this State of honorably discharged soldiers, sailors, marines, and nurses of the Army and Navy of the United States in the late Spanish-American and Philippine Insurrection Wars, in the China Relief Expedition, and the late World War of the Allied Nations; providing per cent of preference; providing mode and manner of ascertaining said per cent; providing qualifications for applicant; providing remedies in case of refusal to make such appointments; and providing exemptions from said Act, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 801, A bill to be entitled "An Act authorizing County Commissioners' Courts in certain counties to pay employees' salaries while ill or injured, providing payment of such salaries, providing mode and manner of payment of such salaries, providing vacation periods for employees in certain counties, providing number of days of said vacation during any calendar year, providing for full compensation during such vacation, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 266, A bill to be entitled "An Act to amend subdivision 2 of Article 199 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 128, Acts of the Fortieth Legislature, Regular Session, as amended by Chapter 341, Acts of the Forty-second Legislature, Regular Session; to change and prescribe the time for holding court in the Second Judicial District of Texas and the length and duration of the terms of court therein; to conform all writs and processes of said court to such changes and make all writs and pro-

cesses issued prior to the effective date of this Act and served prior or subsequent to said effective date, returnable to the terms of court in the several counties in said district as herein provided; to provide for the continuing validity of all bonds and recognizances executed and entered into prior to the effective date of this Act; to validate the summoning of grand and petit juries under existing law and render them available under the provisions of this Act; to repeal all laws and parts of laws in conflict herewith; and to provide for the effective date of this Act."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 534, A bill to be entitled "An Act to amend Section 1 of House Bill No. 31, Acts, 1937, of the Second Called Session of the Forty-fifth Legislature."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 648, A bill to be entitled "An Act regarding the trapping, taking and killing of wild fox in Bell County, for a period of two years, providing conditions and exceptions, providing a penalty for the violation of this Act, repealing laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 697, A bill to be entitled "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, prescribing the time of meeting of

the County Board of School Trustees in counties containing a population of not less than fifty-three thousand, nine hundred and thirty (53,930) and not more than fifty-three thousand, nine hundred and forty (53,940), according to the last preceding United States Census; and providing for their compensation; providing the fund from which same shall be paid; prescribing the nature of certain of said meetings; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply where in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 718, A bill to be entitled "An Act to amend Article 3740 of Title 55 of the Revised Civil Statutes of Texas, 1925, relating to notice by publication in the taking of depositions of witnesses in civil cases, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 719, A bill to be entitled "An Act to amend Article 6085 of Title 104 of the Revised Civil Statutes of Texas of 1925, relating to the publication of citation where defendant is unknown, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 720, A bill to be entitled "An Act to amend Article 4595, Title 73 of the Revised Civil Statutes of Texas, 1925, relating to sales to sat-

isfy liens of hotel and boarding house proprietors and innkeepers, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, March 9, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 745, A bill to be entitled "An Act amending Article 7047 (6) of the Acts, First Called Session, 1897; page 49; Acts, 1931, Forty-second Legislature, page 355, Chapter 212, Section 1, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 148, "An Act regulating the practice of medicine, amending Articles 4500, 4501, 4503, 4504, 4505, 4506 and 4507 of Title 71, Chapter 6, Revised Civil Statutes of Texas of 1925, and adding Article 4500a thereto; and amending Articles 740 and 742 of Title 12, Chapter 6, of the Penal Code of Texas, as follows: providing for the granting, refusal, revocation, cancellation, and suspension of licenses to practice medicine in this State; providing for the granting and refusing by the State Board of Medical Examiners of applications to take its examinations, and for judicial proceedings upon any such refusal; providing for the qualifications and attainments to be possessed by applicants for such examinations and licenses, the form and contents of such applications and the examination of such applicants; providing that all students regularly enrolled in medical schools whose graduates are now permitted to take the medical examination now prescribed by law in this State shall upon completion of their medical

college courses be permitted to take the examination prescribed herein; providing definitions of certain terms used in this Act, including the terms "reputable physicians" and "reputable medical colleges"; providing that the State Board of Medical Examiners shall not, under Article 4500, as amended hereby, grant a license to practice medicine to any applicant whose authority to practice medicine in any other Nation or Country was granted by a Nation or Country in which a similar law in reference to granting licenses to practice medicine under reciprocal arrangements does not exist in favor of physicians of Texas; providing that said Board be authorized to adopt and enforce rules of procedure not inconsistent with the statutory requirements; providing that those ministering or offering to minister to the sick or suffering through the application or use of the principles, tenets, or teachings of any church, by prayer, without the use of any drug or material remedy, shall refrain from maintaining offices, except for the purpose of exercising the principles, tenets, or teachings of the church of which they are bona fide members; providing that the provisions of this Chapter shall not apply to duly licensed chiropodists, who confine their practice strictly to chiropody, as defined by statute, and making certain other exceptions; providing that these laws shall be so construed as to apply to all persons, other than registered pharmacists, who sell or offer to sell on the streets or in other public places, contraceptives, prophylactics or remedies which they recommend for the cure of any disease; providing for judicial proceedings hereunder; amending Article 742 of the Penal Code of this State so as to provide that any person practicing medicine in Texas in violation of the preceding Articles of Title 12, Chapter 6, of such Penal Code, shall be guilty of a misdemeanor, providing that each day of such violation shall be a separate offense, and fixing the punishment therefor upon conviction; providing for the partial invalidity hereof; repealing all laws inconclit herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 341, "An Act fixing the time of holding court in the several counties constituting the Fifty-first Judicial District of Texas, and fixing the time of holding court in the several counties constituting the One Hundred and Nineteenth Judicial District of Texas; fixing the effective date of this Act; repealing all laws in conflict herewith; providing that nothing herein shall be construed as affecting the time of holding court in the several counties of said Judicial Districts between the date of the passage of this Act and the date it shall become effective, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 348, "An Act to diminish the civil and criminal jurisdiction of the County Court of Glasscock County and to conform the jurisdiction of the District Court thereto; providing that this Act shall not be construed to affect in any manner judgments heretofore rendered by said County Court of Glasscock County pertaining to matters and causes which by Section 2 of the Act are transferred to the District Court of said County, but the County Clerk of said County shall issue all executions and orders of sale and proceedings thereunder, and this Act in so doing shall be valid and binding to all intents and purposes, the same as if no changes had been made as by Section 2 therein contemplated; repealing all laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 356, "An Act authorizing the County Judge to employ a stenographer or clerk in any county having a population of not more than seven thousand, seven hundred (7,700) and not less than seven thousand, six hundred and eighty (7,680) inhabitants, according to the last preceding Federal Census of 1930; regulating the salary of same; providing for removal, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 32, Providing for a committee to investigate the Prison System.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 55, Instructing the Enrolling Clerk to make certain corrections in House Bill No. 341.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 56, Instructing the Enrolling Clerk to amend the caption of House Bill No. 348.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, March 13, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 57, Recalling Senate Bill No. 213 from the Senate.

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

SENT TO THE GOVERNOR

March 13, 1939

House Bill No. 148.

House Bill No. 356.

House Bill No. 348.

House Bill No. 341.

House Concurrent Resolution No. 55.

House Concurrent Resolution No. 56.

House Concurrent Resolution No. 57

THIRTY-EIGHTH DAY

(Tuesday, March 14, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Burney
Allen	Cauthorn
Allison	Celaya
Alsup	Chambers
Anderson	Clark
Bailey	Cleveland
Baker	Cockrell
of Fort Bend	Coleman
Baker of Grayson	Colquitt
Bell	Colson, Mrs.
Blankenship	Cornett
Bond	Corry
Boyd	Crossley
Boyer	Daniel
Bradbury	Davis of Jasper
Bradford	Davis of Upshur
Bray	Dean
Bridgers	Derden
Broadfoot	Dickison
Brown of Cherokee	Dickson
Brown	Donaghey
of Nacogdoches	Dowell
Bundy	Dwyer
Burkett	Faulkner

Felty	Morris
Ferguson	Newell
Fielden	Nicholson
Fuchs	Oliver
Galbreath	Olsen
Gilmer	Pace
Goodman	Petsch
Gordon, Mrs.	Pevehouse
Hale	Piner
Hamilton	Pope
Hankamer	Ragsdale
Hardeman	Reader of Bexar
Hardin	Reader of Erath
Harp	Reaves
Harper	Reed
Harrell of Bastrop	Rhodes
Harrell of Lamar	Riviere
Harris	Roach
Hartzog	Roberts
Heflin	Robinson
Holland	Russell
Howard	Schuenemann
Howington	Segrist
Hull	Shell
Hunt	Skiles
Isaacks	Smith of Frio
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Smith
Keith	of Matagorda
Kern	Spencer
Kerr	Stinson
Kersey	Stoll
Kinard	Talbert
King	Tarwater
Langdon	Taylor
Lehman	Tennant
Leonard	Thornberry
Leyendecker	Thornton
Little	Turner
Lock	Vale
Loggins	Vint
London	Voigt
Mays	Waggoner
McAlister	Weldon
McDaniel	Wells
McDonald	Westbrook
McFarland	White
McMurry	Wilson
McNamara	Winfree
Mohrmann	Wood
Monkhouse	Worley
Montgomery	Wright

Absent—Excused

Kennedy

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, Thou art God, and before Thee there is none other. Open our